

## REMARKS

### I. INTRODUCTION

In response to the Office Action dated July 5, 2000, claims 16-18 have been amended and new claims 19-29 have been added. Claims 16-29 remain in the application. Entry of this amendment, and re-consideration of the application, as amended, is requested.

### II. NEW CLAIMS

New claims 19-29 are presented for the first time in this Amendment. Claims 19-22 are new dependent claims from independent claim 16. New claims 23-29 are similar to claims 16-22, except that they are in apparatus format, whereas claims 16-22 are in method format.

### III. NON-ART REJECTIONS

#### A. Rejections under 35 U.S.C. §112, Second Paragraph

On page 2 of the Office Action, claim 17 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Specifically, the Office Action asserts that the step of "matching a learners needs as indicated in the learners profile" lacks antecedent basis since the profile was not previously stated as having information on the learner's needs and that the phase "presentation having a style most suited to those needs" is indefinite.

Claim 16 has been amended to recite that profiles of the learner contain information about characteristics of each learner including information about each learner's curriculum, teaching strategies, present standing and personalized information and dependent claim 17 now recites that the information about each learner's curriculum includes information about each learner's needs. The Applicant respectfully submits that the present §112, second paragraph, rejection is therefore overcome.

#### B. Rejections under 35 U.S.C. §112, First Paragraph

On page 2, claims 16-18 were rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession

of the claimed invention. Specifically, the Office Action indicates that claim 16 calls for a method step in which a profile for a student is created, with the profile containing information on the student's "style of learning". The Office Action asserts that this is new matter.

Claims 16, 17 and 18 have been amended to delete the term "style of learning" without prejudice to filing a continuation application including claims so worded. Accordingly, the Applicant respectfully submits that the present §112, first paragraph, rejection is therefore overcome.

### III. PRIOR ART REJECTIONS

On page 3, the Office Action rejected claims 16- 8 under 35 U.S.C. §102(b) as being anticipated by Lee et al., PCT Publication WO 93/16454 (Lee).

The Applicant respectfully traverses these rejections for the reasons set out below.

#### A. The Lee Reference

International Application, WO 93/16454, published August 19, 1993 to inventors Lee et al. discloses an educational method and system for executing the method, to improve the efficiency of individual learning by monitoring the student's progress and pacing the course material to the student's ability to comprehend and learn. The method and system also reduces the teacher's administrative and paperwork burden. Interactive multimedia technology is combined with unique courseware development to provide a flexible teaching tool and student monitoring system.

#### B. The Applicant's Invention

The Applicant's invention discloses a system and method of presenting material on a topic to a learner, comprising storing on one or more computers a plurality of materials including a collection of different presentations covering the topic, providing a communications link to the materials, via a data channel, with a communicator of the learner, storing profiles of learners, which contain information about characteristics of each learner including information about each learner's curriculum, teaching strategies, present standing and personalized information, selecting a presentation from the collection of different presentations based on the learner's profile and making the selected presentation to the learner.

C. The Applicant's Invention is Patentable Over the Cited Reference

Independent claim 16 is generally directed to an invention that provides profiles of learners which contain information about characteristics of each learner including information about each learner's curriculum, teaching strategies, present standing and personalized information. The Applicant respectfully submits that the cited reference neither teaches nor suggests these various elements of Applicant's independent claim.

Lee et al. merely disclose a method and system to reduce the teacher's administrative and paperwork burden and provide an interactive, audio-visual system which will encourage each student to learn at his or her own individual pace with performance monitored by the system. See page 3, line 18 to page 4, line 10 of the published application. The Office Action asserts that Lee et al. disclose use of a student profile, in the form of information on homework assignment results and student progress information, as taught in the present invention. However, monitoring the results of homework assignments and progress as taught by Lee et al. is not storing profiles as in the present invention.

The profiles as taught in the present invention contain information about characteristics of each learner including information about each learner's curriculum, teaching strategies, present standing and personalized information. For support, see page 12, line 6 to page 14, line 32 of the application. The information in the learner's profile enables the Intelligent Administrator (IA) to identify the most appropriate resources. Nowhere does Lee et al. teach a method using profiles containing such learner information. Moreover, Lee et al. are completely silent on the subject of varying presentation based on profile (automated or otherwise) as a way to improve learning efficiency. Instead, Lee et al. suggest that overall learning efficiency will improve when teachers have more time to provide individual instruction to students having difficulty. See page 3, lines 29- 2 of the published application. As such, this teaches away from the Applicant's invention.

The various elements of Applicant's claimed invention together provide operational advantages over the systems disclosed in Lee. In addition, Applicant's invention solves problems not recognized by Lee, including providing formal education at geographically distributed sites.

Thus, Applicant respectfully submits that independent claim 16 is allowable over Lee.

D. The Dependent Claims Are Patentable

Dependent claims 17-22 incorporate all the limitations of independent claim 16 and are therefore patentable on this basis. Similarly, new claims 24-29 incorporate all the limitations of new independent claim 23 (which is an apparatus claim similar to independent claim 16), and are therefore patentable on this basis. In addition, these dependent claims recite novel elements even more remote from the cited reference as discussed above. Accordingly, the Applicant respectfully requests allowance of these claims as well.

IV. CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectively solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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By his attorneys,

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## APPENDIX A: CLAIMS IN MARKED-UP FORM

16. (AMENDED) A method of presenting material on a topic to a learner, comprising:
- (a) storing on one or more computers a plurality of materials including a collection of different presentations covering the topic;
  - (b) providing a communications link to the materials, via a data channel, with a communicator of the learner;
  - (c) storing profiles of learners, which contain information about characteristics of each learner[s style of learning] including information about each learner's curriculum, teaching strategies, present standing and personalized information;
  - (d) selecting a presentation from the collection of different presentations based on the learner's profile; and
  - (e) making the selected presentation to the learner.

17. (AMENDED) The method of claim 16, wherein the information about each learner's curriculum includes information about each learner's needs and the step of selecting a presentation from the collection includes matching the[a] learner's needs [as indicated in the learner's profile] with a presentation [having a style most] suited to those needs.

18. (AMENDED) The method of claim 16, wherein the information about [characteristics of] each learner's teaching strategies[style of learning further] includes information on the learner's knowledge of structures of organized information which give meaning and context to the topic.

19. (NEW) The method of claim 16, wherein the information about each learner's teaching strategies includes information on the learner's preferred teaching strategy and the step of selecting a presentation includes selecting a presentation according to the learner's preferred teaching strategy.

20. (NEW) The method of claim 16, wherein the information about each learner's present standing is ascertained in a non-intrusive, transparent manner, based on a demonstration of level of competency by the learner.

21. (NEW) The method of claim 16, wherein the personalized information includes information about difficulties in teaching the learner.

22. (NEW) The method of claim 16, wherein the personalized information includes information about the learner that facilitates teaching.

23. (NEW) An apparatus for presenting material on a topic to a learner, comprising:  
one or more computers for storing a plurality of materials including a collection of different presentations covering the topic and profiles of learners, which contain information about characteristics of each learner including information about each learner's curriculum, teaching strategies, present standing and personalized information, wherein the one or more computers selects a presentation from the collection of different presentations based on the learner's profile;  
a communicator of the learner for receiving the selected presentation and making the selected presentation to the learner; and  
a communications link to the materials, via a data channel, with the communicator of the learner.

24. (NEW) The apparatus of claim 23, wherein the information about each learner's curriculum includes information about each learner's needs and selecting a presentation from the collection includes matching the learner's needs with a presentation suited to those needs.

25. (NEW) The apparatus of claim 23, wherein the information about each learner's teaching strategies includes information on the learner's knowledge of structures of organized information which give meaning and context to the topic.

26. (NEW) The apparatus of claim 23, wherein the information about each learner's teaching strategies includes information on the learner's preferred teaching strategy and selecting a presentation includes selecting a presentation according to the learner's preferred teaching strategy.

27. (NEW) The apparatus of claim 23, wherein the information about each learner's present standing is ascertained in a non-intrusive, transparent manner, based on a demonstration of level of competency by the learner.

28. (NEW) The apparatus of claim 23, wherein the personalized information includes information about difficulties in teaching the learner.

29. (NEW) The apparatus of claim 23, wherein the personalized information includes information about the learner that facilitates teaching.